United Nations CEDAW/C/SR.660

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
5 August 2004

Original: English

Committee on the Elimination of Discrimination against Women

Thirty-first session

Summary record of the 660th meeting
Held at Headquarters, New York, on Friday, 16 July 2004, at 10 a.m.

Chairperson: Ms. Açar

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Follow-up report to the fourth and fifth periodic reports of Argentina

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04-42871 (E)

The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Follow-up report to the fourth and fifth periodic reports of Argentina (CEDAW/C/ARG/5/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Argentina took places at the Committee table.*

2. **The Chairperson** noted that when the Committee had considered the fourth and fifth periodic reports of Argentina at its exceptional session in 2002, it had expressed dissatisfaction with the lack of information provided on the impact of the country's economic crisis on the female population. The Committee had consequently requested the State party to submit a follow-up report, taking into account the areas of concern under the Convention identified by the Committee and responding to its recommendations.

3. **Ms. Colombo** (Argentina), introducing her country's follow-up report (CEDAW/C/ARG/5/Add.1), said that the arrival of the current Argentine Government in May 2003 had signalled a new approach to the political, economic, social and cultural life of the country, as well to the issue of human rights. However, the effects of the policies implemented by previous Governments since the mid-1970s were still clearly visible in the crisis afflicting the country. As a result, Argentine society was marked, not only by increased poverty and unemployment, but also by considerable fragmentation and the loss of traditional and deep-rooted values. The poverty and unemployment rates had been reduced from the highs reached during the period 2000-2001, but much remained to be done. The Government was determined to restore social mobility and to promote active policies designed to facilitate the country's development and economic growth, generate jobs and achieve a fairer distribution of wealth. The State had a crucial role to play in renewing the commitment to the social inclusion of men and women and strengthening, preserving and assisting the family unit. She wished to stress the important role played by organized civil society in the planning and implementation of welfare, promotion and training programmes. The Government had introduced a broad programme for the institutional reform of the judiciary, and two of the three new members appointed to the Supreme Court by the national executive power were women.

4. The reconstruction of the country required a comprehensive programme aimed at achieving social inclusion and fighting poverty. One of the Government's key strategies was to ensure that men and women could exercise their right to obtain a decent job, support their families, educate their children and care for their elderly relatives. In the sphere of social development, government spending on social programmes had been increased, and the disjointed programmes of the past had been replaced by a federal network of social policies based on three core plans: the National Food Security Plan, the National Plan for Local Development and Social Economy and the Comprehensive Family and Community Plan. As a result of the reforms, the proportion of the social programmes budget going directly to beneficiaries had risen from the level of 40 per cent, or less, that had been common in previous years, to 95 per cent. The three plans had been introduced in June 2003. The various measures introduced under the three plans were described in the follow-up report before the Committee, and the delegation would be glad to discuss their impact on the lives of Argentine women. In particular, the reintroduction of collective-bargaining agreements would enable labour representatives to negotiate new conditions in the labour market, and the law now provided for women's participation in that process. Increased spending on social programmes had improved the impact of programmes such as the programme of benefits for mothers of seven or more children and the life-pension programme which, for the first time, covered every citizen over 70 years of age who lacked social security, most of whom were women.

5. The economic crisis had generated many new forms of social participation and organization, especially by women, who had used various strategies to keep their families together and to find ways to help and support each other. As a result, society — and women in particular — had become more aware of their rights and of the need to exercise them. The National Women's Council had reached institutional agreements with agencies of the national executive power and helped implement national policies, providing training and technical assistance to the provincial and municipal women's offices and to governmental and non-governmental organizations for

the promotion of rights, based on the principle of equality, in relation to paid and unpaid work, violence and health.

Institutional mechanisms and national machinery for the advancement of women

6. **Ms. González Martínez** said that she was concerned that the national machinery continued to diminish in terms of its importance and its budgetary resources. According to the State party's follow-up report (CEDAW/C/ARG/5/Add.1), the National Women's Council had in 2002 been attached to the National Council for Social Policy Coordination and had suffered budget cuts. The report also stated that the Senate had recently approved a bill to establish a new national machinery, which was before the Chamber of Deputies. The Committee felt that the Council was still losing political influence and would appreciate more information concerning the proposed machinery. She would appreciate more information about the international financing referred to in the report, and particularly about the plans to be funded, with respect to their objectives, content and impact. She would also be grateful for more information concerning the Programme to Strengthen the Family and Build Social Capital (PROFAM).

7. **Ms. Colombo** (Argentina) said that the aim of the National Council for Social Policy Coordination was to improve the use of resources and coordinate government actions. The National Women's Council had the rank of State Secretariat, and its membership of the National Council for Social Policy Coordination did not diminish its importance. The Council had existed for 12 years, and its members were well aware of the impact of the country's economic crisis. The plans to be funded through international financing — the Federal Plan for Women (PFM) and the Programme to Strengthen the Family and Build Social Capital (PROFAM) — had suffered due to the crisis and administrative problems, but the Council had been working together with the World Bank and the Inter-American Development Bank (IADB) to redefine some of the underlying concepts, and hoped to be granted a further two-year extension for their implementation. With respect to PROFAM, she said that the National Women's Council was working with organizations of civil society to strengthen the family, from a gender perspective. Over the past three months, training had been provided in an additional eight or nine provinces, and at the municipal level, to encourage involvement in programmes for women and to strengthen social capital.

Articles 5 and 10; violence against women

8. **Ms. Shin** said that, from her own country's experience, she could appreciate the difficulties facing the Government of Argentina in combating the economic crisis, and therefore understood the scope of efforts taken so far. However, the follow-up report was rather disappointing with respect to Argentina's efforts to eliminate violence against women. It was important for all concerned to understand the situation of women, since there was a tendency for such violence to escalate in times of severe economic crisis. There seemed to be no active policy for the investigation of cases arising from complaints of violence. She wondered whether there had so far been convictions, what punishment had been meted out to the perpetrators of violence and whether men were counselled or given any form of correctional treatment for the commission of such acts.

9. Similarly, there had been no information on the incidence of domestic violence or violence in society at large, regarding crimes such as rape, sexual assault or harassment in the workplace. She would also have liked to see more about the Government's approach to sexual exploitation of women and prostitution.

10. She asked how the Government planned to mainstream efforts to combat violence against women in its other social policies and programmes, and urged the delegation to provide additional information on efforts taken to alter the stereotypical attitudes about gender roles held by men and boys.

11. **Ms. Manalo** commended Argentina for its efforts in the field of education and, referring to table 8 on page 35 of the follow-up report (CEDAW/C/ARG/5/Add.1), asked for further information and sex-disaggregated statistics on the types of vocational and technical training offered, and the fields of study undertaken at the secondary and tertiary levels. Such data could be useful for illustrating the gender gap, as a preliminary step to eliminating gender stereotypes. Furthermore, social and economic recovery required the full participation of men and women in all sectors and at all levels.

12. Turning to the issue of sexual and reproductive health, she referred to National Act No. 25.673 on Sexual Health and Responsible Parenthood, pointing

out that apparently not all entities, particularly the Ministry of Education, were inclined fully to implement the provisions of that law. If that was the case, how did the Government ensure that sex education was offered in school?

13. She asked whether Argentina had adopted a formal curriculum at all levels of the educational system focusing primarily on violence against women and domestic violence. In addition, she wished to know whether an assessment had been made of how well the proper attitudes were conveyed in the upbringing of boys, in order to steer them away from violence and aggression.

14. **Ms. Colombo** (Argentina), responding to questions raised under articles 5 and 10 and concerning violence against women, explained that the Government of Argentina was making progress in the formulation of laws at the provincial level to address the issues raised by the Committee. Each province had the competence to devise its own actions and general policy guidelines on the basis of provincial traditions and decisions. In the short term, national efforts were often not immediately reflected at the level of the province. Sensitive issues, such as violence against women, were relevant to all levels of society and generated different responses from the provincial and local governments and organizations of civil society. The Government was working towards the unification of efforts and the formulation of public policy for appropriate social behaviour. Poverty itself did not cause violence, but economic crisis could lead to an escalation of violence due to a deterioration of relationships. Since the 1970s, Argentina had experienced unprecedented decline in social standards which had precipitated a breakdown of family values. No scientific study had yet been undertaken by the Government, but she pointed out that the increase in sexual violence might be a reflection of the improved possibility of filing such complaints, together with the lowering of the ethical threshold among men. The Government would continue working for improvements in the area of the nuclear family unit, where values and behaviour were learned. It had renewed its commitment to create unified policies through efforts, in cooperation with the Ministry of Justice, to promote solid values, training and protocols of action for personnel in the security forces and health services, as well as other social workers. Another focus of the Government related to the care and treatment of victims of violence, and a training programme on the prevention of violence and victim care was planned.

15. In addition, efforts were being made to improve the registration of cases through better systems of data collection. The Government would endeavour to provide a body of more detailed statistics to the Committee in the future. In the area of trafficking, networks had been established with State organizations and civil society to enhance the Government's commitment to strengthening the justice system to provide adequate human rights protection. Another priority area for the Government was sensitization, and the need had been identified for such activities to be mainstreamed at the federal level.

16. She regretted not having more detailed information on gender stereotyping in education and acknowledged that, in some respects, Argentina was lagging in breaking stereotypes, in part because the Government had been trying to tackle a number of problems simultaneously. The Government recognized the need to ensure non-discrimination in education and was aware that the issue required ongoing attention, beyond the mere enactment of laws.

17. **Ms. di Tullio** (Argentina) said that, through the declaration of the Common Market of the Southern Cone (MERCOSUR), Argentina was mandated to elaborate a protocol of action to improve strategies to combat trafficking in women and children. Regular high-level meetings had been organized and a draft law to support the process was under way, in addition to plans for the establishment of a council against trafficking. Impunity had been one of the strongest areas of focus as the need to dismantle the criminal organization of trafficking had been widely recognized.

18. She was pleased to inform the Committee that successful mechanisms had been established for the application of a law on quotas, which would ensure a minimum of 33 per cent representation of women in the Chamber of Deputies. Since the 2003 elections, 41 per cent of senators in Argentina had been women. In that regard, the Government had pursued a sustained policy, and recent achievements had represented a real victory for women.

Articles 11, 12 and 14

19. **Ms. Khan** said that in spite of the signs of recovery reported by the delegation, and the fact that the number of households living in poverty had

declined, the data showed that the impact of poverty on female-headed households was still critical. Although a number of statistics had been supplied, it was difficult to establish a sense of consistency between the figures provided and the prevailing trends. She was therefore curious to know what special measures had been taken since the crisis to incorporate gender perspectives into the overall development policy. She noted that poverty affected women differently from men and that in addition to social isolation, women were exposed to physical and psychological threats and were therefore highly vulnerable. Poverty eradication measures should give women access to social safety nets as well as guarantee the protection of their human rights. Efforts should also be made in areas such as health and education to ensure women's participation in the process of recovery. It was clear that single women with children were in a particularly precarious position. According to figures by the United Nations Children's Fund (UNICEF) the numbers of single mothers had risen from 39 to 71 per cent between 1990 and 2003, and that trend had exacerbated the child labour situation.

20. **Ms. Patten** said that she was interested in learning more about the living standards of rural women, and in that connection, asked what budgetary allocations had been made for rural women in the Government's agricultural project. Referring to a project on rural women conducted by the National Women's Council, she asked whether the training of rural women under that project had been evaluated, and how many women had benefited from the projects. She would also like to know whether any other forms of assistance had been granted to those women, what the main obstacles were with respect to access to land and credit and what assistance had been given for the marketing of products. Had an agricultural survey been conducted on access to land ownership, or had any social policies been elaborated on rural women? With reference to a national symposium and concrete measures taken in the area of education, she asked what priority had been given to the other conclusions of that symposium, particularly with regard to health, environment, access to land and other issues raised. She was particularly interested in knowing the level at which decisions had been taken, and how many women from rural areas had been involved. She asked for details of rural school repair and construction programmes and asked how many schools were to be built or repaired, how many of those were girl's schools, what time frame was envisaged and the size of the budget allocated for construction.

21. She believed the figures presented on maternal mortality were rather high and was therefore curious to have further information on the access of rural women to comprehensive health services. In conclusion she wished to highlight the devastating impact the criminalization of abortion had had on rural women and asked the delegation whether the Government envisaged a review of the abortion law.

22. **Ms. González Martínez** said she had the impression that the health-care programme had been applied unevenly, and that in some areas weaknesses prevailed. She would appreciate the delegation's comments on the implementation of the Government's health-care policy, in particular concerning what impact health care had had on women in vulnerable situations, particularly those living in remote areas, and how the Government planned to strengthen implementation. Considering the alarmingly high incidence of sexually transmitted disease, which had doubled between 1998 and 2002, she asked how the Government planned to tackle that problem and what had been achieved in its strategy on HIV/AIDS prevention. She was also particularly concerned by the issue of teenage pregnancy and maternal morbidity and mortality, especially given the fact that, in certain respects, taboos were attached to sex education and the delivery of contraception. She asked what practical and administrative measures had been taken or were planned to remedy that situation and to what extent the Government would pursue public information campaigns on sex education for young persons and children. She looked forward to Argentina's next report, which she hoped would provide more detailed information on corrective measures taken and results achieved.

23. **Ms. Ferrer Gómez** asked to what extent the Government had integrated the gender perspective into national policies and programmes like the National Food Security Plan (report, p. 5), the National Plan for Local Development and Social Economy (the "Let's Get to Work" Plan) (report, p. 10) and the Family Plan (report, p. 7), and had tried to promote the access of women to more lucrative employment. The report (p. 10) indicated that the Government was planning to modify the Programme for Unemployed Heads of Household, the majority of whom were women: one change could be to tailor the benefits to the number of

children in each family. Something should also be done about the fact that more than half of salaried women received either no social benefits or partial benefits, and that many elderly women retired without any pension or on minimum pensions. Special support and incentives should be given to the women participating in the "Let's Get to Work" Plan. More information would be useful on what was being done to eliminate the huge wage gap between women and men doing the same work; on the progress achieved in the programmes for equal opportunity and equal treatment in the workplace; and on the tax system, which apparently imposed a greater burden on women than on men.

24. **Ms. Colombo** (Argentina) said that even where a gender component was not explicit in policies and programmes, the Government, in formulating and applying them, did not view women simply as beneficiaries of social assistance but worked to make them wage earners, while recognizing the value of household work in itself and the need to have men bear a fairer share of it. The Government always sought to promote paid work. The Programme for Unemployed Heads of Household, for instance, allowed beneficiaries to draw benefits while earning for up to six months.

25. The recently initiated National Food Security Plan, with a budget of 470 million pesos, had made a significant improvement in the situation, through food kitchens and school lunches directly, and by encouraging individual self-sufficiency in food production and providing nutritional care for pregnant women and infants.

26. The social indicators for poverty in Argentina needed to be refined. There was no indicator that quantified benefits other than income, such as the free drug plan provided in over 6,000 health centres throughout the country, or the free education grants to poor children, all of which were an enormous help to poor families.

27. The Government was already giving thought to tailoring the benefits under the Programme for Unemployed Heads of Household to the size of the families, but the main thrust of the National Plan for Local Development and Social Economy was to move families from welfare to work and self-sufficiency. The Family Plan, which covered about 250,000 families in the various provinces, took many approaches — promoting exercise of rights, offering training for entry into the labour force and support for schooling — and its chief objective was not only to provide every family with basic income but to enable it to raise its standard of living.

28. The National Women's Council had initially set up the National Women, Equity and Work Programme (report, p. 12) as a job training programme and a particularly solid and innovative entrepreneurship training programme for women. It had recently expanded it by including technical teams from the Let's Get to Work Plan to work with the provincial women's offices and non-governmental organizations to monitor the impact of the training. By the end of 2004, that expanded programme would be established in six regions.

29. A recent improvement in the area of employment had been the establishment of the single family allowance system, under which State-financed allowances were no longer paid by the employers but directly by the Ministry of Labour to the women or men concerned, thus eliminating the possibility of restrictions or fraud. Another Ministry of Labour policy that would greatly benefit women was the regularization of the black economy through the empowerment of inspectors to impose penalties on employers for not reporting employees and failing to pay social security and pension benefits for them. The Ministry was now better able to keep a record of the actual size of the labour force.

30. Similarly, the recent establishment of the Social Land Bank would allow the Government to make an overall assessment of the available land. For the last century, the Government had been considering ways of giving title to squatters on public land, but the Bank would now give the Government the resources to implement a comprehensive settlement policy for settlements that did not offer decent living conditions.

31. There were a great many government initiatives specifically targeted at the 5 million rural women in the country. The National Women's Council, under its National Women, Equity and Work Programme, was cooperating with the national rural worker's union and the trade union's women's network (report, para. 13) in a whole range of approaches to improve their lot.

32. Buenos Aires had enacted municipal legislation to attempt to quantify the contribution of unremunerated women's work to the national wealth,

on the basis of a study done in cooperation with a non-governmental organization, and the Government was trying to extend such research to other parts of the country.

33. The figures requested by Ms. Patten would be supplied at a later date.

34. **Ms. Palomeque** (Argentina) said that the National Bank of Argentina had established a $3.5 million National Fund for the creation of microenterprises (report, p. 13), at the urging of non-governmental organizations. Thus far, it had helped start up 650 individual or cooperative microenterprises with guaranteed 7 per cent loans of from 3,000 to 30,000 pesos, thus allowing the beneficiaries to move from the informal economy, 40 per cent of which comprised women, to the formal economy, and in the process contributing to local development.

35. **Ms. Colombo** (Argentina) said that the National Programme for Sexual Health and Responsible Parenthood (report, p. 16) administered jointly by the National Women's Council and the Ministry of Health, provided access to reproductive health services and allowed women to exercise their reproductive rights. National resources were transmitted to the provinces for programme implementation. In addition, a childbirth bill had been drafted establishing standards for the medical professionals involved and involving the husbands as well, to allow women to give birth in a more caring environment.

36. **Ms. di Tullio** (Argentina) explained that the law establishing the National Programme for Sexual Health and Responsible Parenthood was relatively recent, and its effects had not yet been evaluated. Moreover, the provinces enjoyed autonomy in their implementation of the law. The National Women's Council was responsible for monitoring its effects nationwide, with the assistance of many women's non-governmental organizations. The health ministries of the MERCOSUR countries had recently issued a joint declaration, the text of which would be made available to the Committee. It contained an undertaking to pursue efforts to ensure that reproductive and sexual health services were made universally accessible, especially to adolescents and young people, on a basis of informed consent and guaranteed privacy. Efforts to reduce maternal mortality and morbidity would be redoubled, and the emphasis placed on safe childbirth, high-quality obstetric care and access to abortion where the law allowed for such services. Efforts would also be made to eliminate violence against women, especially sexual violence. Those policy commitments were being maintained by Argentina in all international forums.

37. **Ms. Colombo** (Argentina) said that the Government's policy was to prevent abortion by ensuring that families had access to high-quality family planning services and were able to decide whether to have children or not. There were no current plans to amend the existing legislation.

38. **Ms. Puga Marin** (Argentina) said that in line with the national health plan, contraceptives, including the contraceptive pill, were available at all health centres, and were dispensed in sufficient quantities to meet demand. Over 1 million intrauterine devices had also been made available. Where doctors were unwilling for religious reasons to prescribe contraception, patients were referred elsewhere. HIV/AIDS had reached crisis proportions in Argentina, and was increasingly prevalent among women and young people, in spite of public information campaigns. The situation was aggravated by the country's economic crisis, because many of its institutions were still incapable of functioning normally. However, it was receiving assistance in combating the disease from UNAIDS and the Global Fund and from non-governmental organizations, and a great deal of work was being done by multidisciplinary teams operating country-wide. It was hotly debated whether cultural attitudes and practices contributed to the problem of HIV/AIDS.

39. As for health services for older women, 3.5 million people, of whom half were women, were covered by pensioners' health schemes which provided coverage for all health services, including specialist services. Coverage was automatically provided for persons over the age of 70. The national insurance network covered virtually 100 per cent of the population. Local health committees and multidisciplinary teams working at local level took responsibility for the distribution of medicines. As the country was only now emerging from an unprecedented economic crisis, considerable political will was needed to keep up the necessary levels of health care.

40. **Ms. Khan** asked whether the federal plan for women covered all the provinces. What proportion of the "Let's Get to Work" programme measures targeted

women, and were those measures carried out in all the provinces? Were the loans provided under the credit facility offered free of collateral? In the context of the economic crisis, had any gender analysis taken place of the budgetary measures adopted? Was the gender aspect incorporated into the Millennium Development Goals for Argentina?

41. **Mr. Flinterman** said he was glad to note the Government's commitment to human rights and the progress made in overhauling the judicial apparatus. The protection of human rights had to begin at the domestic level, but international recourse procedures were also important. In view of that, he wondered when Argentina would ratify the Optional Protocol to the Convention.

42. **Ms. Gabr** expressed concern about the 20 per cent increase in breast cancer among women. What measures were planned to combat cancer, especially breast cancer? Were women adequately informed about the protection available to them in the event of domestic violence, and did that protection include free legal advice? She also wondered what progress had been reached with the draft law on child protection.

43. **Ms. Ferrer Gomez** suggested that, in its next report, the Government should provide disaggregated data for the provinces of Argentina, since conditions varied considerably from one province to another and it was not clear how policies were implemented across the country.

44. **Ms. Tavares da Silva** asked whether there was any comprehensive national plan of action to combat gender violence, as recommended by the various treaty bodies, to include measures to protect victims and punish offenders. Gender violence was not a private matter, but a violation of fundamental human rights.

45. **Ms. Patten** was concerned about the rising trend in breast and cervical cancers, and asked whether women in rural areas had adequate access to medical services. Did the data in the follow-up report include rural areas, and were young women in rural areas covered by the measures to prevent and treat HIV/AIDS?

46. **Ms. González Martínez** mentioned the issue of voluntary sterilization: was it available as a method of birth control? In its next report, she hoped the Government would deal with the question of access for adolescents to reproductive health services on a confidential basis, without having to be accompanied to medical appointments by an adult.

47. **Ms. Colombo** (Argentina), replying to questions by members of the Committee, said that the federal plan for women, with its 100 special programmes, was intended mainly to put in place mechanisms to tackle women's problems throughout the country and to address poverty. It aimed to improve social capital by protecting families, and, through the "Let's Get to Work" programme, sought to help women enter the labour market, as a crucial means of escaping poverty. It also sought to prevent violence against women and pregnancies among adolescents. The Millennium Development Goals, as implemented in Argentina, incorporated a gender perspective by seeking to involve women and men equally in decision-making. The Government's health policies and the LUSIDA project ensured, among other things, that pregnant women could obtain testing for HIV/AIDS. Women who were victims of violence could obtain free legal advice; in Buenos Aires, there was also a telephone advice line. Similar arrangements existed in other parts of the country. The National Women's Council was providing training at provincial level for women to make official complaints of violence, and was expecting to receive adequate budget funds for that part of its programmes. She undertook to ensure that the next report provided data disaggregated by province and region, as requested. The national statistical office carried out statistical surveys twice a year for the whole country, but the data were not necessarily broken down in the manner requested. Since 2003, a train had been going to different parts of the country, carrying multidisciplinary teams of workers from the social services and from the Ministries of Health and Labour, to bring certain services, among them specialist services such as mammograms, to the provinces; such a train was presently in Patagonia. National Act No. 25.673, establishing the National Programme for Sexual Health and Responsible Parenthood, did provide for adolescents from the age of 14 to obtain medical advice on a confidential basis and without being accompanied by an adult. Dialogue between adults and adolescents was important in preventing pregnancy among young girls. Voluntary sterilization was under discussion in the National Women's Council. No position had yet been adopted on the issue, although it was felt that the law should provide for access to all contraceptive methods which were not abortifacient or

irreversible, on the basis of free consent and in the light of patients' needs. As for the question of accession to the Optional Protocol to the Convention, the Convention itself was already part of the national Constitution, and the Government was in favour of accession to the Protocol. The matter was currently under discussion in the Senate.

48. **Mr. Mayoral** (Argentina) said that its work with the Committee, which was defending one of the most vulnerable groups in the country, had helped his Government as it sought to overcome the current crisis. He assured members that any statistics not provided would be submitted subsequently.

49. **The Chairperson** commended Argentina for consolidating a democratic society while coping with enormous difficulties. The Committee was urging it to adopt policies that would remove a disproportionate burden from women during the current crisis in the country and give them greater equality with men, and the national machinery for women, while excellent, was not sufficiently empowered and funded. The next periodic report should give fuller information on the actual impact of programmes.

50. Violence against women, which always escalated in times of crisis, had to be attacked through consciousness raising and education, especially of men, to ensure that women were not doubly victimized. In responding to the continuing crisis, the Government must place special emphasis on gender in all its policies, plans and budgets, in order to send the right message to the society.

The meeting rose at 1 p.m.

United Nations CEDAW/C/SR.661

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Distr.: General
21 September 2004

Original: English

Committee on the Elimination of Discrimination against Women

Thirty-first session

Summary record of the 661st meeting
Held at Headquarters, New York, on Friday, 16 July 2004, at 3 p.m.

Chairperson: Ms. Ferrer Gómez (Vice-Chairperson)

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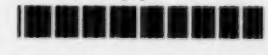
04-42877 (E)



In the absence of the Chairperson, Ms. Ferrer Gómez, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.15 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined initial, second and third periodic reports and combined fourth and fifth periodic reports of Angola (*continued*) (CEDAW/C/AGO/1-3 and CEDAW/C/AGO/4-5)

1. *At the invitation of the Chairperson, the members of the delegation of Angola took places at the Committee table.*

2. **The Chairperson** invited the delegation to respond to questions raised at an earlier meeting.

3. **Ms. Delgado** (Angola) said that, with regard to Government efforts towards reconciliation, she could mention the establishment of the Inter-Sectoral Commission for the Peace Process and National Reconciliation and subsequently the National Commission for the Social and Productive Reintegration of the Demobilized and the Displaced. The Government of Unity and National Reconciliation had declared a general amnesty in 2002 after the signing of the Luena Memorandum of Understanding. In addition, some political and civil society organizations conducted peace and solidarity campaigns.

4. No specific figures were available concerning violence against women and children during the conflict. Neither the Government nor the União Nacional para a Independência Total de Angola (UNITA) had provided concrete information on child soldiers. However, it was estimated that more than 1.5 million children had been directly affected by the conflict. In the quartering areas, some 264,000 children had been registered so that they could be provided with identity papers. Most children were afraid to identify the perpetrators of violence. Programmes had been instituted to deal with war trauma in both adults and children. By the time the Luena Memorandum of Understanding had been signed in 2002, it was estimated that over four million people had been internally displaced. By December 2003, over three million had returned to their communities, although nearly a million had remained in camps. By April 2004 that number had been halved.

5. The Angolan Government had programmes and projects of assistance and social reintegration to help internally displaced persons and Angolan refugees in other countries. With regard to children at risk, there were projects to provide milk and food, substitute mothers, family tracing and reunification and community education. Projects to benefit handicapped persons involved community-based rehabilitation, small-scale fishing enterprises and occupational training. In order to provide social assistance to families in extreme poverty, social centres had been established, occupational training was provided and tools and seeds, resettlement kits and occupational kits were distributed.

6. With regard to the repatriation of Angolan refugees, agreements had been signed between the Government of Angola and the asylum countries: with the Congo, the Democratic Republic of the Congo, Namibia and Zambia in 2002 and with Botswana and South Africa in 2003. There had been a total of over 450,000 Angolan refugees in asylum countries, the largest numbers being in Zambia and the Democratic Republic of the Congo. While many thousands of refugees had returned under an organized repatriation programme, even more (over 190,000) had returned spontaneously. Spontaneous returnees were entitled to the same rights and assistance as organized returnees. Women made up 53 per cent of repatriated returnees.

7. All returnees were covered by the same reintegration programme applicable to all categories of persons affected by the armed conflict. They had access to land according to the norms and procedures for resettlement of the displaced population, land distribution being the responsibility of provincial authorities. They received assistance according to the vulnerability assessment done by joint teams put together by the Government with the World Food Programme and the Food and Agriculture Organization of the United Nations. Reception centres had been set up and equipped with shelters, water points, communal kitchens, warehouses, health centres and camp administration areas, so that they could provide shelter, food and medical care, distribute reintegration kits, register returnees and transport them to their final destinations. A gender perspective was applied with regard to women heads of households and in the

provision of assistance to the handicapped and older persons.

8. Angola had a Technical Unit for the Coordination of Humanitarian Assistance (UTCAH), a counterpart to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), to manage funds from donor countries. However, many non-governmental organizations received funds directly and the budgets of projects funded by United Nations agencies were under the responsibility of those agencies. A question had been asked about genital mutilation. It was not part of the traditional Angolan culture, although there were a few reported cases among women from other cultures or married to men from other cultures.

9. The National Strategy for the Advancement of Women by the year 2000 had been elaborated in 1995 in follow-up to Angola's participation in the Fourth World Conference on Women and had identified as priority areas health, women's political participation, environment, the young girl, poverty, violence, social communication and arts, education and rights of citizenship. In 2000 an evaluation had been done and submitted to the Economic Commission for Africa and had later been discussed at the twenty-third special session of the General Assembly. On the basis of the Beijing Platform for Action, the Ministry of Family and Promotion of Women had elaborated the National Strategy and Strategic Framework for the Promotion of Gender Equality by the year 2005 with the participation of women members of Parliament, women's organizations in the various political parties, experts, non-governmental organizations, focal points and churches. Because of the difficult situation in the country in recent years and financial constraints, the strategy was being implemented only in part.

10. Angola had begun to experiment with microcredit programmes. In 1999, it had instituted a pilot programme aimed at influencing the adoption of a favourable framework for microcredit programmes initiated by non-governmental organizations. Banco Sol had introduced a new microcredit package available to women's solidarity groups operating in the informal sector, and a new bank entirely devoted to microfinance was soon to begin operating. The United Nations Development Programme was also initiating a project, with funding by Chevron-Texaco, to develop an institutional environment favourable to the development of microfinance.

11. Some questions had been raised about the resources and methods of the Ministry of Family and Promotion of Women. The Ministry had a budget of $1,206,850, representing 0.02 per cent of the general government budget for the year 2004. In addition, international donors had provided $576,000 for a project on peace-building that the Ministry was carrying out with support from the United Nations Development Programme (UNDP) and $92,351 for a project supported by the United Nations Population Fund (UNPFA) and the United Nations Development Fund for Women (UNIFEM) to build the institutional capacity of the Ministry and national women's non-governmental organizations to introduce gender issues into government strategies and programmes.

12. The Ministry had links with focal points, not only in other ministries but also in institutions at the local level and public enterprises, to ensure that gender issues were taken into account in all sectoral initiatives. It carried out sensitization and gender-advocacy activities with political and parliamentary leaders and other influential groups of women and had established a network of gender trainers. Its strategy for countering stereotypes was sensitization through the mass media, workshops, meetings, presentations in schools, workplaces, markets, police stations, the army and the community in general. In rural communities dissemination of the information was done in local languages. The Ministry's Family Counselling Centre was set up to provide psychosocial and legal assistance and information about social, civil, political, economic and cultural rights. Every year the centre organized a 16-day campaign against gender-based violence.

13. The Group of Women MPs in Angola's parliament was a multiparty group, comprising all of the legislature's 16 per cent of women members, and pledged to defend gender equality. The next Electoral Law should ensure a higher proportion of women in the parliament. As for women's participation in cultural life, the only restraints were financial, though with the advent of peace there were more facilities for culture than before. Polygamy may have been a part of Angola's rural tradition, but in urban areas it manifested itself as promiscuity with none of the traditional safeguards, thereby spreading HIV and AIDS. Access to land was the same for either sex, with the Land Law ensuring no discrimination. Access to education and ongoing training were a fundamental right, and there already had been a Labour Law

regulating enterprises in the private sector and the administration in the public sector.

14. The 1981 Law, revised in 2000, covered such aspects of women labour as maternity leave (including additional leave), part-time work, duration and organization of shifts for women, and work which women were not allowed to do or which was allowed only under certain conditions. Under this law, penalties were stipulated for infringements. There was also a conciliation service within the Labour Courts, chaired by a representative of the Ministry, to attempt to achieve an agreement binding upon the parties, without their having to go to law. Cases in which an agreement was not reached were heard in the Labour Courts. There was likewise a national Inspectorate, to ensure compliance with the law, which was based upon the provisions of the 33 international conventions ratified by Angola, for instance ILO Convention No. 100 concerning Equal Remuneration and Convention No. 111 concerning Discrimination (employment and occupation).

15. Children were a large proportion of the labour force, unprotected because of their ignorance of the law, and were victims of the economic situation in the country. Angola had, however, ratified the two main conventions on child labour, and, under the Constitution, children were supposed to enjoy the protection of the family, the State and society. The Government of Angola was aware of the need to free children from the need to work, provide them with education and reintegrate them into society without leaving their families destitute, which could be achieved only through economic growth.

16. Seminars and workshops were being organized in cooperation with the National Committee of Trade Union Women to make people aware of the law, the kind of problems that women faced in the workplace, and the mechanisms available to address them. Suitable first jobs for the young, especially young girls, were also a priority in a country with such a youthful population. Women workers who were wives and mothers were also ensured all benefits under the Labour Law. A programme funded by the Chinese Government, the World Bank and the African Bank for Development aimed to ensure that by 2015 all children, with priority given to girls and the most vulnerable, should have access to good primary education, which at the moment was available for four years and partly extended to six years under the current educational reforms.

17. Literacy classes and training for a livelihood should be available to all adults, especially women, by 2015, thus ensuring equal access to education for all. At the moment 70 per cent of women and 60 per cent of men were illiterate. No study had yet been carried out to determine why there were disparities in the level of education between men and women, but a gender programme was being implemented between 2000 and 2005, with support from a donor country and UNICEF, which included establishing the National Commission on Gender, training of teachers, drawing up a teacher-training manual, monitoring the number of boys and girls who finished the school year successfully, or failed to do so, and a revision of the curriculum to include gender issues, HIV/AIDS, human rights, and reproductive health.

18. Angola had a National Strategic Plan for HIV/AIDS for 2003 to 2008, funded by the World Bank and supported by UNAIDS. Under Angola's commitments enshrined in the Millennium Declaration Goals, it had approved a Programme for the Prevention of Vertical Transmission, which was being gradually expanded, and had created the National Commission to Combat AIDS. The infection rate had risen from 3.4 per cent in 1999 to 8.6 per cent in 2002 among the overall population, and from 20 per cent to 33 per cent among prostitutes in Luanda. Sixty per cent of cases were among people between the ages of 20 and 39, and the prevalence was growing fast among young women, presumably because increased poverty led to an increase in prostitution. A project funded by UNDP was being implemented through the education system to reduce the impact of HIV/AIDS.

19. The National Strategic Plan was also intended to tackle the problem of maternal morbidity and mortality, with norms and policies for sexual and reproductive health based on the Cairo Declaration, through improved public health and a drive to promote women's capacity to decide on their own reproductive needs. The Ministry would monitor the number of maternal deaths in maternity wards throughout the country, through Audit Committees that had been active in Luanda since 1992. Since the 1992 peace agreement was signed, education and health had been the Government's national priorities. Most of the existing infrastructure for maternal and infant health had been destroyed in the war, but some initiatives

were being implemented, and spending on health had risen, especially on women's health and reproductive health. Traditional midwives were being trained and integrated into the national health service network, especially in rural areas.

20. The Ministry of Health was promoting family planning so as to increase the average gap between children to at least two years. It aimed to support community programmes distributing contraceptives and promoting changes in behaviour, and Angola attached no conditions to access to contraceptives. It was important that the young people involved should themselves take a responsible and active part in those campaigns. Activists were trained to work in the community. Although health care was free in principle in Angola (with the possibility of some being required at some time in the future), there was a lack of infrastructure and qualified medical personnel, especially in the rural areas. Traditional midwives, therefore, had to be trained to identify risks in pregnancy. The vast majority of women still gave birth at home with no care from the health service, and the percentage of women or couples using contraception was also low, in spite of the fact that Angola had had reproductive health programmes since 1985.

21. **Ms. Gnacadja** had found the delegation's answers concerning culture very brief and diffident, and wondered whether there was a need to remember that culture and tradition were not something static, handed down from on high. They were a nexus of behaviours created by men, born of the environment, religion, politics, history and economics of a particular time and place. When any of those elements changed, it was time for a change in behaviour, and that was why States which ratified the Convention committed themselves to eliminate, however slowly, traditions and practices that were discriminatory. The Convention was unambiguous: if it came into conflict with discriminatory practices, the Convention had to prevail, however difficult that might seem to achieve. She therefore urged the Angolan Government to move forward in the awareness that discriminatory traditions were often deeply rooted. Men and women needed to effect change, and she had every confidence in Angola's ability to achieve such change.

22. **Ms. Šimonović** wished to know whether the new Constitution contained provisions on gender equality and on the direct application of treaties to which Angola was a State party. She also wondered whether it contained a definition of discrimination, in line with the Convention.

23. **Ms. Schöpp-Schilling** commented that the writing of the Constitution provided an opportunity for women to articulate their needs. She inquired whether a legal basis for temporary special measures had been introduced into the new Constitution and pointed out that, according to the Convention, they were the most appropriate means of accelerating the achievement of de facto equality. In that regard, she urged the Government to pay particular attention to general recommendation No. 25. Angola was encouraged to have the most important recommendations translated into the national language so that administrators in the different ministries would understand the meaning of the Convention articles correctly.

24. **Ms. Achmad** said that information on private schools should be included in the following report and wondered whether the Government was monitoring the private schools' compliance with the national Constitution and as well as their implementation of the Convention, particularly article 10.

25. **Ms. Saiga** asked whether legal advice centres still existed and whether they were separate from family counselling centres. Their role needed to be further clarified.

26. **Ms. Delgado** (Angola) said that there was a conflict between modern culture and tradition. Although positive law prevailed in general, customary law was still used to resolve conflicts in the rural areas. The Government had indeed implemented temporary special measures. One example was the Ministry of Family and Promotion of Women, which had been created to advance women's rights. The Ministry collaborated with other Government institutions and private and public companies to ensure gender mainstreaming and had elaborated a National Strategy and Strategic Framework for the Promotion of Gender Equality.

27. The second temporary special measure was the creation of family counselling centres where traditional authorities, the mass media, churches, non-governmental organizations, social workers and women's organizations worked together to monitor and evaluate women's programmes. Another positive step was that, according to the provisions of the new Constitution, at least 30 per cent of the judiciary, the executive and parliament must be female. The aim was

to ensure that women participated in all levels of decision-making. Girls' private schools were expected to comply with the gender mainstreaming policies and programmes of the Ministry of Education. Family counselling centres provided both legal aid and advice on family conflicts and domestic violence. Their main objectives were to make the population aware of its rights and to offer legal aid to both men and women.

28. **The Chairperson** said that Angola had demonstrated its political will by sending such a large delegation and hoped that, the war having ended, the Government could now submit its reports more regularly. Angola should take advantage of the current spirit of peace and reconciliation to develop solid strategies on gender equality. The Committee was aware that Angola had undergone a difficult, protracted war, which had produced hundreds of thousands of displaced persons and refugees. It was interesting to learn how the programmes for the reintegration of the affected population and the voluntary repatriation of refugees guaranteed access to fundamental human rights to employment, health and education. The Committee was pleased that the programmes were being developed with gender equality in mind.

29. Angola was to be congratulated on having ratified the Optional Protocol and was urged to familiarize the population with it. The Committee was gratified that the Family Code had been adopted, but felt that many other laws needed to be amended. Furthermore, there was a clear gap between the provisions of the laws and their actual implementation. Permanent programmes were required to change cultural patterns so that deep-rooted prejudice and discriminatory practices could be eliminated. Teachers, lawyers, doctors and journalists played a fundamental role in teaching women their rights and in changing society's stereotypical image of women. The Government was requested to carefully analyse both article 4.1 of the Convention, concerning the adoption of temporary special measures aimed at accelerating de facto equality, and general recommendation No. 25.

30. With respect to education, the Committee had noted that there was a high level of illiteracy among women. However, the Government was striving to improve child education, decrease the dropout rate and create the necessary infrastructure. The Committee was interested to learn how Angola was attempting to implement article 11 of the Convention. A number of International Labour Organization agreements had been ratified but again, the Government was responsible for ensuring that they were actually being implemented. Finally, the Government was confronted with a large number of health issues, including the AIDS epidemic, high child and maternal mortality, the need for sex education and information on contraception, the need to improve reproductive health, and the rebuilding of the infrastructures destroyed during the war. Clearly, the Ministry of Family and Promotion of Women and the national mechanisms played a fundamental role in promoting health policies and programmes within the Government. It was hoped that Angola would find the necessary funding and resources to deal with the difficult situation that it was facing.

The meeting rose at 4.50 p.m.